IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.O.C.P. No.440 of 2006
Date of Decision:- 11.12.2006

Sewak Bus & Transport Co. ....Petitioner

through
Mr.M.S.Khaira, Sr. Advocate with
Mr.Abinashi Singh, Advocate.

vs.

Sh.B.S.Mehandi Ratta & ors. ....Respondents

through
Mr.Sandeep Khunger, Advocate for No.2.
Mr.G.S.Cheema, Sr.DAG, Punjab for Nos.3 to 6.

***

CORAM:-HON'BLE MR.JUSTICE SURYA KANT.

***

SURYA KANT, J.

The petitioner filed C.W.P.No.18372 of 2005 in which the Secretary, Regional Transport Authority, Ferozepur, placed on record a time table of the route in question. Thereupon, the writ petition was disposed of on January 20, 2006.

It appears that the time table of the route in question which was placed on record before this Court, was impugned in revision petition No.12 of 2006 before the State Transport Appellate Tribunal, Punjab who vide its order dated March 7, 2006 accepted the revision petition and directed the Regional Transport Authority, Ferozepur to reframe a regular joint time table within the stipulated period.

It is stated that in compliance to the above-stated order passed by the Revisional Authority, the Regional Transport Authority, Ferozepur has reframed a time table which has further been impugned by

the petitioner before this Court in C.W.P.No.1262 of 2006. The said writ petition is still pending consideration.

Various contentions like the non-maintainability of the revision petition before the Tribunal and/or alleged connivance between two sets of functionaries of the State Government, have been raised on behalf of the petitioner.

After hearing learned counsel for the parties, having regard to the scope of interference in contempt proceedings and keeping in view the fact that no definite opinion with regard to wilful or deliberate breach of the statement/undertaking given before this Court on January 20, 2006 at the hands of the respondents No.2 and 3 can be formed, I am of the view that the contentions raised on behalf of the petitioner are very much available to them in the pending writ petition.

Consequently, this petition is disposed of with liberty to raise these contentions in the pending writ petition.

Rule discharged.

December 11, 2006 **(SURYA KANT)**
poonam **JUDGE**